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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

HAVAN, THU THAO

ART UNIT PAPER NUMBER

2672

DATE MAILED: 05/21/2002

#8

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/698,077

Applicant(s)

WILLS, KENNETH

Examiner

Thu-Thao Havan

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on reconsideration on 2/28/02.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Amendment***

Claims 17-40 are pending in the present application.

### ***Response to Arguments***

Applicant's arguments filed February 28, 2002 have been fully considered but they are not persuasive. As addressed below, Fushimi et al. and Tenmoku et al. teaches the claims.

A.) Fushimi discloses identifying at least a first site, second site by the departure point and the destination point (col. 1, line 64 to col. 2, line 3; abstract). A departure point is one site and a destination point is second site. Based on these different points then the range data providing the distance (i.e. directions) between the two points are disclosed to the user.

B.) Fushimi discloses a type of location of interest (fig. 13c). In figure 13c, Fushimi discloses the eleven different sites and paths the users can choose with eleven different locations of interest.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17-18, 20, 23-24, 26-27, and 32-37 are rejected under 35 U.S.C. 102(b) as being unpatentable by Fushimi et al. (US patent no. 5,475,598).

1. As to claims 17, 23, 32, and 35, the prior art Fushimi had:

A.) A method for searching and retrieving information comprising receiving/sending a request identifying a first site, and range data defining a distance from the first site (**fig. 1, 9, 12a, 13a, and 14a**). In figure 12a, Fushimi discloses the departure point and the destination point of the site then calculates the ranges between the two locations. He teaches a user requests a particular departure and destination location then his system calculates the optimum distance for each road map. .

B.) The step of selecting/receiving trip planning information selected based on the identified site and the range data (**fig. 2c, 11c, 13a, and 13c**). In figure 13, Fushimi teaches the trip planning information by providing different alternative routes for each site and its ranges data in distance from a particular departure point to a particular destination point.

C.) The step of outputting the selected trip planning information (**fig. 13c**). Fushimi discloses the result of the routes in figure 13c. Each distance of the departure and destination route is calculated and displayed for the user.

2. As to claims 18 and 24, Fushimi discloses the trip planning information includes information identifying a location of interest within a proximity of the first site derived from the range data (**fig. 2a, 8a, 11a, and 13a**). In figure 8a, Fushimi discloses the trip

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planning information by identifying the departure point and the destination point and the ranges for site.

3. As to claims 20, 26-27, 33-34, and 36-37, Fushimi discloses the request further includes a second site, and wherein the trip planning information includes information identifying a location of interest associated with the second site (**fig. 2c and 8a-8b**). In figure 8a, Fushimi discloses the five sites that the users can choose to drive for their trip.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 21-22, 25, and 28-30, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fushimi et al. (US patent no. 5,475,598) in view of Tenmoku et al. (US patent no. 5,486,822).

4. As to claims 29 and 38, the prior art Fushimi had:

A.) A method for searching and retrieving information, comprising receiving/sending a request identifying at least a first site, a second site and a type of location of interest (**fig. 8a-8c, 11b11c, and 13c**). In figure 13c, Fushimi discloses the eleven different sites and paths the users can choose with eleven different locations of interest.

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B.) The step of receiving information associated with the first and second sites and selected based on the type of location of interest and selected using a geometric shape generated based on the first and second sites (**fig. 8a-8c, 11b11c, 13a, and 13c**). The information is displayed for the users and there are links that associated with each sites.

However, Fushimi fails to explicitly teach the geometric shape. Nevertheless, the different sites are in geometric shapes because geometric shapes include straight lines, circles, or squares. In figure 13a, Fushimi discloses the geometric shapes of the routes. Furthermore, both Fushimi and Tenmoku teach the road map route for the users to choose. Tenmoku focuses more on the different destinations that the users can choose by disclosing the routes in geometric shapes in his diagrams. In figures 1-2b and 5-7, Tenmoku discloses the routes in geometric shapes. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the geometric shapes because Tenmoku teaches different directions for the road map of a vehicle navigation system in geometric shapes (**fig. 1-2b and 5-7**).

5. As to claims 19, 21-22, 25, 28, 30, and 39, Tenmoku discloses the trip planning information includes information identifying services available within a proximity of the first site derived from the range data (**col. 5, lines 7-13; fig. 5 and 6**). The road map memory of Tenmoku discloses background information such as famous facilities, which include services. Furthermore, the users have many different sites and routes to choose for their journey.

As to claims 31 and 40, Fushimi discloses the geometric shape is generated based on a first distance value representing the distance between the first and second sites, and a

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second distance value representing a function performed on the first distance value (**fig. 8a**). In figure 8a, Fushimi discloses the different distances for each route that the users can choose to drive. Each N represents the different paths that the users can drive.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Thu-Thao Havan

May 15, 2002



**MICHAEL RAZAVI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**